

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

SMARTMATIC USA CORP., SMARTMATIC
INTERNATIONAL HOLDING B.V. and SGO
CORPORATION LIMITED,

Plaintiffs,

v.

MICHAEL J. LINDELL and MY PILLOW, INC.,

Defendants.

Case No. 22-cv-00098- WMW-JFD

**[PROPOSED] ORDER GRANTING DEFENDANT MICHAEL J. LINDELL AND
MY PILLOW, INC'S MOTION FOR PARTIAL RECONSIDERATION OF THE
COURT'S AUGUST 1, 2023 ORDER**

The parties appeared before this Court on September 15, 2023, on Defendants Michael J. Lindell and My Pillow, Inc.'s ("Defendants") Motion for Partial Reconsideration of the Court's August 1, 2023 Order. That order denied Defendants' First Motion to Compel. After new information came to light, Defendants sought permission to bring a motion for partial reconsideration, which this Court granted on August 18, 2023. After careful consideration of the parties' arguments, legal memoranda, declarations, exhibits, and all other related papers, the Court HEREBY GRANTS Defendants' Motion for Partial Reconsideration and orders the following:

1. Defendants' Motion for Partial Reconsideration is GRANTED.
2. The source code and ballot marking device will be designated Attorneys' Eyes Only.

3. Within five days of the date of this Order, the parties must meet and confer and file a stipulated protective order specific to the source code, as provided in Paragraph 2 of the protective order. (ECF No. 70 ¶2.); and
4. Within seven days of the entry of the “source code protective order,” Plaintiffs are ordered to allow Defendants’ counsel and experts access to inspect the source code and ballot marking device.

SO ORDERED.

BY THE COURT:

Dated: _____

The Honorable John F. Docherty
Magistrate Judge for the United States
District Court for the District of
Minnesota